

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Petition of McCarthy Investments, LLC,
Petitioner,

Index No. 07cv5617

For an Order Pursuant to the Federal
Arbitration Act, 9 USC §1, et. seq.
Confirming an Arbitration Award,

-against-

Abbas A.Shah, Linuxor Asset Management,
LLC and Linuxor Capital Management, LLC,
Respondents.
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Petition of 2001 Jane F. McCarthy GRAT No. 5,
Petitioner,

Index No. 07cv5618

For an Order Pursuant to the Federal
Arbitration Act, 9 USC §1, et. seq.
Confirming an Arbitration Award,

**ANSWER TO PETITION
TO CONFIRM ARBITRATION
AWARDS**

-against-

Abbas A.Shah, Linuxor Asset Management,
LLC and Linuxor Capital Management, LLC,
Respondents.
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Petition of JFM Holdings L.P.,
Petitioner,

Index No. 07cv5619

For an Order Pursuant to the Federal
Arbitration Act, 9 USC §1, et. seq.
Confirming an Arbitration Award,

-against-

Abbas A.Shah, Linuxor Asset Management,
LLC and Linuxor Capital Management, LLC,
Respondents.
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Respondents ABBAS A. SHAH (“Mr. Shah”), LINUXOR ASSET MANAGEMENT, LLC (“LAM”) and LINUXOR CAPITAL MANAGEMENT, LLC (“LCM” and collectively with LAM and Mr. Shah, “Respondents”), by their attorneys, Shibolet, Yisraeli, Roberts & Zisman, LLP, answer the Petition to Confirm Arbitration Awards (the “Awards”) of MCCARTHEY INVESTMENTS LLC, (“Petitioner” or “McCarthy”) and respectfully allege:

Answers to Petitioner’s Numbered Allegations

Respondents answer the allegations in Petitioner’s Petition to Confirm Arbitration Awards as follows:

1. Admit the allegations contained in paragraph 1 of the Petition to Confirm.
2. Admit the allegations contained in paragraph 2 of the Petition to Confirm.
3. Admit the allegations contained in paragraph 3 of the Petition to Confirm.
4. Admit the allegations contained in paragraph 4 of the Petition to Confirm.
5. Admit the allegations contained in paragraph 5 of the Petition to Confirm.
6. Admit the allegations contained in paragraph 6 of the Petition to Confirm.
7. Admit the allegations contained in paragraph 7 of the Petition to Confirm.
8. Admit the allegations contained in paragraph 8 of the Petition to Confirm.
9. Admit the allegations contained in paragraph 9 of the Petition to Confirm.
10. Admit the allegations contained in paragraph 10 of the Petition to Confirm.
11. Deny the allegations contained in paragraph 11 of the Petition to Confirm.
12. Deny the allegations contained in paragraph 12 of the Petition to Confirm.
13. Admit the allegations contained in paragraph 13 of the Petition to Confirm.

14. Deny the allegations contained in paragraph 14 of the Petition to Confirm.

15. Admit the allegations contained in paragraph 15 of the Petition to Confirm.

16. Deny the allegations contained in paragraph 16 of the Petition to Confirm.

17. Admit the allegations contained in paragraph 17 of the Petition to Confirm.

Respondents for their affirmative defenses allege the matters set forth in their Memorandum of Law in Opposition to Petitioners' Motion to Confirm, submitted concurrently herewith.

WHEREFORE, Respondents Abbas A. Shah, Linuxor Asset Management, LLC, and Linuxor Capital Management, LLC request that the Petition to Confirm Arbitration Awards be denied, together with such other and further relief as the Court deems just and proper.

Dated: New York, New York
September 7, 2007

**SHIBOLETH, YISRAELI, ROBERTS &
ZISMAN, LLP**

Attorneys for Respondents Abbas
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Linuxor Capital Management, LLC

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